

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, March 10, 2003

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Borys, Kreider, Raser, Senhauser, Sullebarger, and Wallace present. Absent: Bloomfield, Clement, and Spraul-Schmidt

MINUTES

The minutes of the Monday, February 24, 2003 meeting were approved as amended (motion by Raser, second by Sullebarger).

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 1349 - 1355 MAIN STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT

Staff member Caroline Kellam presented the staff report on this request for a Certificate of Appropriateness and zoning variance for the installation of a projecting sign on the building located at 1349 -1355 Main Street, a contributing resource within the Over-the-Rhine (South) Historic District. The applicant's proposal to rehab the building to include commercial on the first floor and residential above was approved in-house by staff since it met the historic district guidelines.

The projecting sign will identify the business leasing the first floor. Ms. Kellam stated that while the design for the sign has not been fully developed, it will be an oval shaped, painted, metal sign, measuring approximately 2' x 4' x 1" with the words "Cody's on Main" on both sides. The applicant recently submitted a change showing the sign will project approximately 3'-1" from the front face of the building, instead of 2'-11" as indicated in the staff report. The clearance from the bottom of the sign to grade will remain the same at 8' -6½".

Ms. Kellam explained that at this time, the Board would only be reviewing the location of the sign, how it is mounted and the size. The proposed sign meets the Over-the-Rhine (South) Historic District guidelines in that its size is in scale with the building and the overall material and type of installation are appropriate for the building and the district. A variance to allow a clearance above grade of only 8' -6½" is necessary because the B-4 General Business Zoning District in which the property is located stipulates a projecting sign must be a minimum of 10' above the right-of-way. Staff is recommending that the applicant submit the final sign design to the Urban Conservator for approval.

[Mr. Kreider entered the meeting]

Applicant/architect Neena Jud and developer Karen Blatt were present to respond to questions from the Board. Ms. Jud clarified that they moved the sign to the right of the main entrance out of concern that the sign lighting would interfere with the operation of the fire escape. She also confirmed for Mr. Raser that the lights are 10' from grade. Ms. Borys stated that without knowing the details of the sign design, it is difficult to determine if the variance for the clearance above grade is necessary, although she understood the presence of the fire escape imposes inevitable constraints.

Ms. Sullebarger recognized Cody's as a great establishment and commented that it is encouraging to see new business in Over-the-Rhine.

BOARD ACTION

The Board voted unanimously (motion by Raser, second by Kreider) to take the following actions:

1. Grant a variance to Section 1473-301(b)(4) to permit the installation of the proposed projecting sign at 1349-1355 Main Street with a clearance from grade of 8'-6½" with the condition that the final sign design be submitted to the Urban Conservator for review and approval.
2. Find that such relief from the literal implication of the Zoning Code:
 - a. is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
 - c. will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

**CERTIFICATE OF APPROPRIATENESS AND TRANSITION ZONE HEARING,
1420 VINE STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT**

Urban Conservator Forwood presented the staff report for this request for a Certificate of Appropriateness and Transition Zone (T-Zone) approval for the renovation of the existing building and the installation of a wall sign and light standard at 1420 Vine Street, the Kroger grocery store. The building is a non-contributing resource within the Over-the-Rhine (South) Historic District.

The renovation involves a redesign of the front façade, including additional glazing, a new canopy, a second overhead door off the existing loading dock, new metal grilles on the second floor, and cleaning the existing brick veneer; the side and rear concrete block walls will be painted. The upgrade of the storefront, which is based on a more contemporary suburban prototype, does not change the mass of the building and meets the conservation guidelines for the renovation of a non-contributing building.

Additionally, the applicant proposes to replace the existing 212 sq. ft. wall signage with individual, internally illuminated, blue, script letters, measuring 102 sq. ft. A new 30' tall, anodized bronze light standard will be installed in the parking lot, replacing the lights on the c. 1950 pole sign. Mr. Forwood explained that the wall sign and light standard exceed the maximum height permitted in the R-7(T) zone within which the property is located. However, since it is located in a T-Zone, the less restrictive zoning of the adjacent B-4 area may be applied to the project, which would permit the light standard and signage as proposed.

Applicant/Architect Mark Tilsley and Louis Rothchild representing the Kroger Store were present to respond to questions from the Board. Mr. Tilsley showed elevation drawings of the new façade and summarized the project. He said it was Kroger's intent to create a fresh face without adversely affecting the style of the building, thereby maintaining the urban character. In response to Mr. Raser, Mr. Tilsley stated that the pole height for the light standard would be 30', the same as the height of the existing freestanding sign. Ms. Sullebarger questioned the placement of the wall

sign. Mr. Tilsley stated they did not place it over the entrance for structural reasons; furthermore, considering the style of the building they felt it was more appropriate not to center the sign. They also wished to steer eyes away from the brick wall that they will construct in front of the loading dock.

Ms. Wallace commented that she has seen murals painted on façades of Kroger stores in other historic districts that seem to discourage loitering. Mr. Tilsley admitted they are good for the community, but felt there was no space for it, particularly since the front of the store was being reconfigured with shelving to allow for more product.

In response to Mr. Senhauser, Mr. Tilsley stated the lot off 15th Street is leased and used for the daily service delivery (DSD) dock. He stated it would not be feasible to eliminate the front dock since the DSD dock cannot handle the larger loads because it is at grade.

Ms. Borys questioned if they considered re-using the letters from the existing building sign pointing out that if they keep the pole sign, there would be a disparity between the new building logo signage and that sign. Mr. Tilsley agreed that the original letters have more of a retro appeal and better fit with the period of the building, but presumed that the letters were unusable. Ms. Borys also observed that the new sign board/parapet does not maintain the asymmetry of the new facade. Mr. Tilsley responded that there was a concern to minimize the overall size of the parapet and to keep the language similar, but admitted that it was the only thing symmetrical, other than the entire canopy. Ms. Borys suggested that the design would be better if it was less elaborate.

The Board voted unanimously (motion by Sullebarger, second by Raser) to take the following actions:

1. Find that the building renovations, as proposed, meet the Over-the-Rhine (South) Historic District guidelines and approve a Certificate of Appropriateness;
2. Encourage Kroger to resurface and reline the existing surface parking lot as part of the overall renovation effort;
3. Grant approval of the T-Zone application for the wall sign and the light standard with the following conditions:
 - a. The light standard (including the base) shall be no taller than the existing pole sign; and
 - b. The light fixtures shall be removed from the existing pole sign.

ZONING VARIANCES, 318 MULBERRY AVENUE/313 SEITZ STREET, OVER-THE-RHINE (NORTH) HISTORIC DISTRICT

Urban Conservator Forwood presented the staff report for this request for a zoning variance for the subdivision of the lot located at 318 Mulberry Avenue and 313 Seitz Street. He stated that there is no physical work proposed.

Mr. Forwood explained that there are two independent freestanding buildings used for multi-family residences on a single lot, which the owner wants to subdivide. The subdivision will create two separate substandard lots and therefore requires variances to meet the Zoning Code.

Owner/applicant Susan Backers was present to respond to the Board. In response to Mr. Senhauser, Ms. Backers stated that they wanted to subdivide the lots to make them more manageable. With two primary dwellings on a single lot, the site is considered a six-unit structure, triggering commercial rate for everything from insurance to financing. Dividing it into two three-unit buildings, will allow them to reduce their carrying costs.

Mr. Kreider suggested that if the lot was treated as a row house lot, one could eliminate the side yard variances. Mr. Forwood stated staff also felt that if it was recalculated as a substandard lot, the side yard variances would not be required, but Building and Inspections did not concur. To ensure there was no question, staff is suggesting the Board grant all of the setback variances. Mr. Senhauser observed that in looking at the zoning map provided, the majority of the lots in the neighborhood have been subdivided. Mr. Kreider noted that in addition, they all have existing zero side yard setbacks.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second by Borys) to take the following actions:

1. Find that the proposed subdivision is consistent with the Over-the-Rhine (North) Historic District Guidelines;
2. Find that such relief from the literal implication of the Zoning Code:
 - a. is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
 - c. will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located; and
3. Grant the required lot size, density and setback variances from the strict application of the Cincinnati Zoning Code R-6 Multi-family High-Density District regulations as set forth in Section 1469-100 to permit the subdivision of 318 Mulberry Street/313 Seitz Street.

UPDATE – OVER-THE-RHINE HISTORIC SITES INVENTORY

Urban Conservator Forwood presented a map of Over-the-Rhine that the Historic Conservation Office developed with information acquired from the historic sites inventory update. The map identifies buildings as contributing and non-contributing, and includes National and Local Register districts. It also shows Tax Act projects, City-owned property, development sites for which Requests for Proposals have been issued, City-funded projects, properties offered to the City, and structures identified by Buildings and Inspections as hazards. Mr. Forwood noted that other overlays would be added including Tax Incentive Financing (TIF) districts and development opportunities suggested in the Over-the-Rhine Master Plan.

Mr. Forwood stated the map could be used to target development opportunities or to identify where conflicts may occur due to pending demolitions. Although prepared independently, the map and data have been used to address Councilmember Booth's recent proposal to remove the historic district designations in Over-the-Rhine (North) and (South). Mr. Forwood said that Mr. Booth has

suggested that in lieu of removing the designations, the more stringent Over-the-Rhine (South) guidelines be replaced with the Over-the-Rhine (North) guidelines and that the Board continue to work on an approved products list.

Mr. Raser questioned if the mapping had been shared with the Police Department, stating that 90% of the hurdles with development in Over-the-Rhine have to do with crime. Mr. Forwood stated that to date, they have not shared the information; however, the University of Cincinnati DAAP is considering developing a series of courses that would examine the social, economic, and physical dynamics of Over-the-Rhine. If UC undertakes this project, the students will be studying everything that impacts the area, including crime with a goal of improving the quality of life for those living and doing business in Over-the-Rhine.

Mr. Kreider stated that if UC pursues the study, consideration should be given to how the physical environment intersects with the social. He expressed the importance of considering closure of open spaces, particularly gating alleys, stating that the large number makes it a difficult place to make safe. The City should assist the property owners and or developers to proactively create their own safe spaces. In addition, the City could pave the way for new development by easing the process of obtaining irrevocable street privileges.

The Board discussed other impediments to development in Over-the-Rhine, with the development of a market economy being a central issue. Mr. Senhauser stated that as long as a majority of housing is subsidized, there would never be a market economy. Mr. Kreider agreed, but pointed out that some developers have chosen the area regardless of the economics. Mr. Senhauser concurred stating that those developers have the desire and realize the risk of developing there. He added that the commitment of government funds in the area for Tax Act projects has been significant.

Ms. Wallace said that development should not force out current residents. She stated that the City gives the impression that development can occur only with new people coming into the neighborhood. She pointed out that the residents want the same issues addressed as those trying to stimulate the economy of the area. Mr. Kreider stated that ULI completed a study in 1998, which was a precursor to the Master Plan. In considering development and population density, the study concluded that Over-the-Rhine has room to accommodate the present residents, new development and additional infill housing.

The Board discussed additional obstacles to development including the expense of tapping into water mains for sprinkler system renovation and upgrading sewer systems. The City could alleviate some of the cost to developers by upgrading and replacing systems that are in disrepair.

STAFF UPDATE

Urban Conservator Forwood announced that Ms. Cheri Rekow will be leaving the Historic Conservation Office and has accepted the position of Planner with Lunken Airport.

ADJOURNMENT

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date